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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,525	06/24/2003	Ulrich Bantle	VO-647	1764

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EXAMINER

BOSWELL, CHRISTOPHER J

ART UNIT PAPER NUMBER

3676

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/602,525

Applicant(s)

BANTLE ET AL.

Examiner

Christopher Boswell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5,7-12 and 14-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5,7-12 and 14-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Objections*

Claim 1 is objected to because of the following informalities: In line 10, of claim 1, the examiner believes that the phrase "one of" is either in the wrong location or is an erroneous mistake. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 7-12, and 14-17 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 4,250,976 to Mochida.

Mochida discloses a lock with a bolt that can be displaced by an actuating element (20) between an opened position and a locking position, wherein a blocking piece (18) which blocks the actuating element (20) in the locking position is assigned to the actuating element (20), and wherein the blocking piece (18) can be moved from the locking position into the opened position by a solenoid (62), the blocking piece (18) is movable out of the opened position into the locking position by a manually operable operating element (50a), and a switching element (28) emitting a switching signal when the blocking piece (18) one of reaches the locking position and transitions from the opened position into the locking position, wherein the switching element is

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operated indirectly by the operating part for emitting the switching signal (column 4, lines 7-24), as in claim 1.

Mochida also discloses the operating part (50a) having a lever (48), which moves the blocking piece (18) from the opened position into the locking position by a key element (40), as in claim 2, wherein the blocking piece (18) is a part of an actuator (34) which in the opened position is maintained under a spring bias (56) against a permanent magnet (magnet of the solenoid), and the actuator (34) is lifted off the permanent magnet by the lever (48), as in claim 3, and where the blocking piece (18) is a part of an actuator (34) which, in the locking position, is maintained against a permanent magnet (magnet of the solenoid), and the actuator (34) is movable from the opened position to the locking position by a lever (48) against a force of a spring (56), as in claims 4 and 11.

Mochida further discloses the operating part (50a) being maintained under spring tension (56) in an initial position associated with the opened position of the lock, as in claims 5 and 12, where the switching element (28) is indirectly operated by the actuator (34), which is connected with the blocking piece (18), as in claims 7 and 14, wherein the actuator (34) is an armature of the solenoid (62), as in claims 8 and 15.

Mochida additionally discloses the actuating element (20) being rotatably seated around an axis of rotation in a lock housing, and the actuating element (20) has a receptacle (20a) for the blocking piece (18), which forms a stop in a circumferential direction on at least one of two sides of the inserted blocking piece (figure 3), as in claims 9 and 16, and where the locking position of the actuator (34) blocks a displacement in a direction toward the actuating element (20), as in claims 10 and 17.

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***Response to Arguments***

Applicant's arguments filed December 14, 2004 have been fully considered but they are not persuasive. Regarding the argument that the switch of Mochida is not operated by any element of the lock, the examiner respectfully disagrees. As disclosed by Mochida in column 4, lines 7-24, the switch opens or closes with respect to the rotation movement and location of the ignition key with the rotor, and thus the switching element is operated indirectly by the operating part for opening or closing the switching element.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Boswell whose telephone number is (571) 272-7087. The examiner can normally be reached on 8:30 - 5:00 M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



CJB *CB*  
March 1, 2005

DANIEL P. STODOLA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600